

**FSN FORUM DISCUSSION
FOOD SECURITY AND HUMAN RIGHT TO FOOD –
GOING ON PARALLEL TRACKS OR CONVERGING?**

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I. GENERAL INFORMATION

Duration:	23.09 to 06.11.2008
Facilitator:	Federica Donati
Number of participants:	19
Number of Contributions:	32

II. INTRODUCTION OF THE TOPIC

Dear Forum Members,

My name is Dubravka Bojić Bultrini and I work as a legal consultant in the FAO Right to Food Unit. I'm very happy to launch a discussion on food security and the human right to adequate food. The Right to Food Unit was established in 2006 to follow-up on the Right to Food Guidelines (adopted by the FAO Council in 2004). In the last three years, the Unit has supported several countries in right to food legislation, monitoring, assessment and policies, as well as capacity strengthening. We have prepared new methodologies, undertaken research and issued training and advocacy material.

Applying human rights based approach to food security means a change in perspective. In a rights-based perspective taking steps to achieve food security is not a matter of policy discretion of governments; it is their legal obligation. The right to food does not dictate the design

of food security policies or strategies but provides a yardstick for assessing government performance, and establishes the right of persons to challenge and hold government to account for what has been done or not done. The right to food also reinforces **the concept of food security with human rights principles**. This means that **decision-making processes** - formulation, implementation and evaluation of laws, policies and programmes - **must be participatory, transparent and non-discriminatory**. They must be taken in **full respect of human dignity of people and be based on the rule of law**. Through this process, people are empowered to take control of their own lives and hold their government to account.

Many of those principles are already seen as good development practice. Human rights law provides framework that can strengthen and improve such good practices. If all those who are involved in food security work draw systematically on human rights principles and standards, both the process and the outcomes are likely to be more objective and transparent, and enjoy greater legitimacy in addition to legal authority.

In recent years the concepts of food security and the human right to food started to converge, but there are still important challenges involved in bringing them together at both analytical and operational levels. The dramatic rise in food prices has put hunger and food security to the top of the international agenda, including of international human rights agencies (such as Human Rights Council). This provides renewed urgency to the search for sustainable food security solutions. We believe the right to food can and should be a major part of that search.

To inform these discussions and form the basis for further action, I look forward to hearing your experiences and insights as to the following:

- Experiences in the **practical application of human rights based approach to food security at national & local levels;**
- Practical experiences on **human rights based food security policies, projects, programmes or plans;**
- Documents and other relevant information about **right to food field-level activities;**
- Practical ways to promote the **convergence between the right to food, food security and development.**

Thank you all in advance for the time and effort you will invest in this debate, which will - I hope - stimulate further discussions in FAO and other members of the UN Food Security Task Force, as well as within countries.

Best regards,

Dubravka Bojic Bultrini

PS. FAO is hosting a **Right to Food Forum from 1 to 3 October this year**. The Forum will bring together practitioners and stakeholders from many countries, from fields of agriculture, education, social development, nutrition and human rights to draw lessons learned so far in implementation of the right to food around the world. The Right to Food Forum and the FNS email discussion will be mutually reinforcing. See http://www.fao.org/righttofood/rtf_forum/index_en.html

For further information about the right to food, see:

- What is the right to food?

http://km.fao.org/fsn/resources/fsn_viewresdet.html?no_cache=1&r=542&nocache=1

- Questions and answers

http://km.fao.org/fsn/resources/fsn_viewresdet.html?no_cache=1&r=543&nocache=1

- Right to Food Guidelines

http://km.fao.org/fsn/resources/fsn_viewresdet.html?no_cache=1&r=544&nocache=1

III. LIST OF CONTRIBUTIONS

Contribution by Federica Donati from the Office of High Commissioner for Human Rights (OHCHR), Switzerland

Dear Forum Members

First let me thank Dubra for initiating such an interesting and important discussion. I hope this topic will spark a vibrant debate!

Dubra mentions that “In recent years the concepts of food security and the human right to food started to converge, but there are still important challenges involved in bringing them together at both analytical and operational levels”.

I think that, whilst you share your experiences with this forum, it would be very interesting to hear from you about **what you think these remaining important challenges are**, in particular:

- What are the missing elements in food security from a human rights perspective?
- What are the missing elements in the human rights discourse on the right to food from a view point of the food security approach?
- In your experience of applying a human rights based approach to food security policies and programmes, what made a difference as opposed to the same policies and programmes without a human rights basis?

The human rights based approach advocates that the right to food cannot become a reality at the national level unless rights-holders can hold duty bearers to account. In other words, **the human rights based approach requires that Governments establish functioning institutions where individuals may be able to obtain remedies when their right to food is not observed**. An important example of this has been **the Indian experience** where the Supreme Court transformed what were originally food security programmes and policies of the Government, including food-for-work and midday meals programmes, into legal entitlements for the population and particularly some of its most vulnerable segments. Learning from this experience, to **what extent is**, for example, **the lack of accountability mechanisms** still one of the important remaining challenges to bridge the food security approach and the right to food approach? If there is agreement that this remains a challenge, **what measures can be taken at the various levels, local, national and international, to fill this gap?**

Looking forward to hearing from you.

Federica

Human Rights Officer
ESCR Team/Special Procedures Branch (SPB)
UNOG -OHCHR (PW E-050)

Contribution by Gbolagade Ayoola, Professor of Agricultural Economics, University of Makurdi, Nigeria, NGO Farm and Infrastructure Foundation

I would like to introduce myself as: Gbolagade Ayoola, Professor of Agricultural Economics and Policy at the University of Agriculture Makurdi, Nigeria, and Founder/President, Farm and Infrastructure Foundation - an NGO for promoting policy best practices in agriculture and rural development.

I am to congratulate members of this forum on the emergence of this important topic for discussion, at this material time when the nexus of food security and right to food is most visible on world development stage.

My entry point into this discussion is to **highlight my lessons of practical experience on this topic**, in a few questions to be subsequently substantiated.

1. **Role of government** - What is the basis to expect that policy authorities will adopt or promote right based approach to food security, when indeed they are the principal beneficiaries of right-less society?
2. **Role of the people** - In their state of hunger, how can we stimulate the participation of the poor majority, particularly the vulnerable groups, to demand their right to food, when hunger itself is at the centre of poverty and a debilitating factor for that matter?
3. **Role of development community** - The international agencies represent a persuasive force for making systemic changes in food-deficit countries. How can they be engaged to mainstream rights elements in their various interventions for the benefit of these countries?
4. **Role policy advocacy** - We need credible organization to advocate policies and programmes with components for preserving the synergy between food security and right to food. But if the policy advocate runs into problems with policy authorities, as he will possibly do, , who bails him out?.

To demonstrate the presentation of these issues in Nigeria, I am making attempt to share my submission to the Right to Food Forum holding in Rome this week, for information of the members of FSN forum. I will forward this to the moderator for sharing with participants in this discussion.

Meanwhile, I look forward how some or all these issues will be properly interrogated with experiences from other places.

Regards,

Professor G. B. Ayoola

Contribution by Rene Verduijn, from Pretoria, South Africa

My name is Rene Verduijn, I'm an independent researcher with more than 10 years of working experience in FAO and WFP in the promotion of food security information systems (FSIS), mostly in Sub-Saharan Africa. **FSIS have often been mentioned as an important means to identify specific vulnerable groups in society to which a RBA (Rights-Based-Approach) should be applied**, and another to assist in monitoring socio-economic changes pertained by policy and programmatic changes.

In fact, this year I have started a PhD incorporating important elements of a RBA and the RtF and its application for specific vulnerable groups. My thesis has selected children as a well-recognized example. I feel that so-called vulnerable groups (whether based on gender, age, ethnic origin, health or socio-economic status) have perhaps most to gain from the introduction of a RBA, partly as the new approach may find willing ears from the judiciary to take up action, and if necessary correct government policies and programmes.

Having promoted the food security concept for long across Africa, with government ministries and UN agencies as the main audiences, I feel that the food security concept, as promoted by FAO, best suits the design and development of food and nutrition policies. In the operationalization of it, I have found great obstacles of getting food security understood, let alone achieving political support for a comprehensive actionable set of activities that would (almost) guarantee quick results among the masses. In fact, I feel that the comprehensiveness of food security, covering the whole cycle from production to utilization of nutrients may actually be confusing, especially as often the local environment is not conducive to inter-agency/ ministerial collaboration, let alone allows interaction between the different administrative levels. We, as practitioners and

academics, should be careful not to put too much effort in the promotion of visions that put ourselves, more often than not, at the top of the pyramid with discretionary powers. One can organize the world in thousands of ways, but it doesn't CHANGE the world for one iota. I have doubts about how successful the food security approach has been in getting people out of poverty and hunger.

Instead, I have **high hopes around applying the RTF and RBA**, especially if applied in a **holistic manner and focusing on specific vulnerable groups in society** promoted and supported by a strong consolidated UN country team (and others of course). I wouldn't be keen on incorporating the RTF into often dispersed and sometimes unfocused UN country programmes. How is then the RTF approach to steer clear from the failures of sectors working together, something I feel the food security approach is a clear victim of. Are we just complicating things by introducing the RTF on top of food security or does it make our work easier, easier to explain, easier to implement on the ground, and making a real contribution towards achieving the MDGs.

So, in short I am not sure if convergence of food security and right-to-food per se would be so beneficial. My questions are:

1. What are the **opportunity costs of promoting RTF rather than food security**? We haven't won the battle on the concept of food security, yet we are confusing both right holders and duty bearers with a new concept, perhaps even less attainable or realistic (!?)
2. What are the main **strengths and weaknesses of the food security approach**?
3. What are the main **strengths and weaknesses of the RTF/RBA**?
4. Based on the above analysis, where is the actual **convergence and conflict between the two concepts**?
5. Can the two concepts be harmonized? If the organizing principles inherent to both are found to be conflicting, **would a change in approach be warranted** (from food security towards RTF)?
6. **Can the RTF replace the food security concept and be incorporated into a more holistic approach** that promotes people's civil, political and socio-economic rights of people?
7. If so, is it possible that a **RBA will become a cornerstone of the ONE UN initiative**, focusing on the most vulnerable groups in society, as an important means of achieving convergence between UN agencies?

I would hope that your discussions in Rome could address some of the above questions. I look forward any proceedings of the Right to Food Forum and to reactions from the field. Please distribute or make available all important documentation and presentations from the forum as most of us would have wished to participate but couldn't.

Rene Verduijn
Independent Researcher
Pretoria, South Africa

Contribution by Graham Riches, from the University of British Columbia, Canada

As someone who over the past two decades has researched the rise of charitable food banks in Canada and internationally within the context of food security and the right to food, I would like to contribute to the debate about the nature of the current relationship between the concepts and practices of food security and the human right to adequate food and nutrition. This is a timely and critical discussion if global hunger in poor and rich countries alike is to be overcome. I also had the opportunity with colleagues to author the **Right to Food Canada: Case Study (2004)** which

was **one of a number of case studies** commissioned by FAO as preparatory documents **for the Voluntary Guidelines on The Right to Food**.

This contribution is a response to the perspectives regarding the food security/right to food relationship presented by Dubravka Bultrini and Federica Donati. The questions they raise are direct and to the point.

Dubravka makes the telling point that "**all involved in food security need to operate within a right to food framework**" (a view which I share) while noting that the right to food does not dictate food security policies but rather stands **as a monitoring and advocacy tool and approach**. At the same time she also notes that whilst there are some convergences between these two approaches to ridding the world of hunger, challenges exist at both the analytical and operational levels if they are not to continue on parallel tracks.

Again, I would agree but see one of the fundamental challenges being **the role played by charitable food agencies** (international food aid in poor countries, food banks in rich countries) which operate (whether by design or not) within a food security framework and act by giving away free food to hungry people. Yet, as Mary Robinson and Louise Arbour (both UN High Commissioners for Human Rights) have noted this is not what the right to food is about - in fact **such institutionalized giving undermines the central concept of the right to food** as set out in General Comment 12 and in the ICESCR with regard to the right of everyone to be able to earn or procure an adequate standard of living, including their own livelihoods. Moreover they serve the function of undermining local food economies.

Worse still such **charitable actions on such a large scale allow governments** and the wider public to believe that food access and food security are assured (note: in Canada a third of food banks run out of food and cannot meet the demand and this in one of the richest countries in the world). This permits governments **to continue to violate their obligations** under international law to respect, protect and fulfill the right to food. It also allows them to believe that they do not need to concern themselves with developing comprehensive and joined-up food policies and national action plans directed at poverty reduction and achieving food security informed by the right to food.

Of course there is a moral imperative to feed hungry and starving people, and especially in situations of natural disasters and war ravaged societies. Yet if charitable food aid is a key institutional component of a country's food security policies (whether by design or default), it is difficult to see how the right to food can be fully realized as an overall objective and framework. Charitable food distribution and food access programmes stand in opposition to right to food approaches **unless those involved in the charity field are willing to educate governments and the public** as to why widespread hunger and food insecurity continue to exist; **and are prepared to engage in direct advocacy supporting the right to food and the notion of legal entitlements**. Perhaps though what is important is that though these ideas and approaches are in tension engaging the dialectic might open the way to progress.

Federica in looking for key elements from the food security and right to food approaches which might inform the other (in concept and practice) likewise poses a very important set of questions while stressing the significance of duty-bearers (governments) being held to account by rights-holders (hungry citizens); and noting the lack of accountability mechanisms as presenting a considerable challenge.

The question of accountability mechanisms is crucial but I would take the argument further. The lack of such mechanisms is clearly a problem but even where they do exist such as in national constitutions (South Africa, Brazil, India), bills or charters of rights (Canada – but not the right to food), direct legislation (e.g., health, food safety, agriculture, social security etc), human rights commissions and opportunities to pursue right to food violations through the courts or the UN monitoring committees in Geneva (and perhaps in time through the Optional Protocol on Economic, Social and Cultural Rights), **these processes are often extremely costly and time**

consuming and especially for the poor and hungry.

Nevertheless the justifiability of the right to food (that is the right of all people to a judicial or other effective remedy when their rights have been violated – as in the case of hunger or food poverty) is a key strategic component of the right to food approach and should be adopted by the food security movement. If not, as far as food access is concerned for vulnerable populations, the continuing resort to charitable food aid remains tempting. The point is this: the receipt and stigma of food charity undermines human dignity which is the central pillar of human rights principles and approaches. Legal entitlement to adequate food and nutrition is essential. Interestingly the recently published report of the WHO's Commission on the Social Determinants of Health (*Closing the Gap in a Generation*, 2008) argues that a right to legal civic identity for all is necessary if people are to be able to claim their rights to health and by implication to adequate food and nutrition.

What the discussion about accountability mechanisms suggests to me is **the real importance of the education of the legal profession and the justice system as well as health care professionals, teachers, social workers, agriculturalist and those in finance portfolios about the application of the right to food strategies** for achieving food security. As well **the education of journalists and columnists in all aspects of the media would be a huge step forward**. Today much social policy is driven by the media and I would argue that in Canada at least hunger and food poverty has been socially constructed as a matter of charity and not as a political question and one which requires legal redress informed by human rights principles. The education of those in powerful positions to bring about and influence change represents a considerable challenge.

Graham Riches
University of British Columbia,
Vancouver, BC

Contribution by Joseph Opio-Odongo, Retired International Civil Servant, from Kenya

Dear All,

I have joined this interesting discussion mid course and run the risk of repeating issues that others may have already raised. My modest contribution focuses on the following issue:

1. The right to food is part of the bundle of human rights. Only countries that recognize and respect human rights are likely to give serious considerations to the right to food. Where human rights abuses are prevalent it is hard to promote the right to food.
2. It may be extremely hard to promote the right to food in situations where food insecurity is rampant. In order to ensure effective linkage between the right to food and food security, it may be useful to **embed the right to food in food security policy and strategy**. Where these are anchored on a constitutional provision that includes the right to food among human rights, it becomes **incumbent upon the judiciary and the legislature to ensure** that **actions** by the responsible arms of government do indeed protect the population's right to food. The onus also would be on the judiciary to ensure that the advocates have the skills in dealing with litigation on violations of the right to food!
3. In pursuit of the right to food duty bearers at three levels of jurisdiction have specific obligations to hold in protecting the rights holders:
 - At the **level of the state**, it takes the form of the moral obligation of the state to ensure that those segments of the population that are vulnerable to food insecurity are protected either through means to procure available food from the local market or through fair access to relief food that is provided either directly by the state or indirectly through its humanitarian assistance agencies. The state should desist from making food a political

weapon! At this level, the link between the right to food and food security obligates the state to ensure that its policies, laws and institutional framework enhance food security. **The state can innovate by exploring the possibilities of using the market in protecting the vulnerable** as is being done in Ethiopia and Malawi, **through use of weather-indexed insurance**. The bottom line is that the state must accept and act and be seen to act on its moral obligation to ensure food security and protect the population's right to food.

- At the **sub-national level** (district, municipality, etc), it requires **decision makers at this level of jurisdiction to be sufficiently empowered** (politically and financially), to translate the moral obligation of the state into practical protection of the rights of their populations to food, especially when vulnerability to food insecurity strikes. Through use of institutional apparatus such as the disaster preparedness and management committees, **decision makers at this level can provide early warning signals to the central government** that enables timely and adequate protection measures in the event of production shortfalls.
- At the **community and household levels**, the right to food has to be promoted in tandem with the obligation to work, especially by those within the productive age brackets. Provision of food to this segment of the population should be done in the context of **food for work that helps to develop community infrastructure**. Leaders at this level both traditional and political) can also help to institute appropriate mechanisms for targeting of relief by both government and humanitarian assistance agencies. **The community leaders need to be sufficiently empowered** to ensure that relief food is never turned into a weapon for disciplining political opponents!

4. **The media**, as the fourth estate, **has an effective role to play, together with civil society organizations**, in promoting both food security and the right to food, especially in the context of advocacy. In order to be effective that advocacy has to be evidence-based and guided by adequate understanding of the national and international policy and legal instruments on both food security and the right to food. This can only be effective in countries where the right to information is respected!

Regards.

Joseph Opio-Odongo
Retired International Civil Servant.

Contribution by Peter Kingori, from UNICEF, Kenya

Colleagues,

This is a timely debate especially in the face of raising food prices and the consequent food insecurity for the vulnerable groups (the poor, those living with HIV/AIDS, female headed households, children under five years, poor pregnant and lactating mothers etc).

My view is that RTF approach could actually improve food security for the above groups.

In the **Kenyan context**, there is little talk of the right to food for those who are faced with starvation yet. A recent operation by the army in western region to flush out militia has received the highest attention of the Kenyan National Commission of Human rights. This is despite the fact that in Northern Kenyan the periodic drought has led to bad livelihoods and increased malnutrition (almost always above emergency threshold of 15%). There is no record I have of the Kenya National Commission of Human rights putting down the government on the violation of the rights of these people with regard to food. Human rights seem to come in where police is involved in civilian crash - this can and must be changed!

To me, in the mind of many elite, feeding the poor is more an act of philanthropy than a human right issue -

It is for this reason that I find the current concept timely and which must be pushed to the center of the policy debate on food security.

It must be made clear to government policy makers, that **it is a gross violation of human right to not create mechanism that will make it possible for vulnerable groups to access enough food.**

Since the human rights issues is a hot one and grabs attention of governments quickly (refer to the annual release of the Amnesty International reports), it is imperative that right to food be now used to **lobby for increased found for food security and nutrition programmes.**

Peter Kingori
Consultant on Food Security and Nutrition
Kenya, Nairobi

Contribution by Erika Arteaga, from Health Policy Watch, Ecuador

My name is Erika Arteaga and I'm a health activist. In all the discussions it is preponderant the role of academics and of technical experts... I thought that maybe we could also discuss the FIAN International – For Right to Food position that you can find below as an example of incorporating other actors (not only technical experts) in the scene.

Time for a Human Right to Food Framework of Action - FIAN Position on the Comprehensive Framework of Action of the High Level Task Force on the Global Food Crisis at:
http://km.fao.org/fsn/resources/fsn_viewresdet.html?no_cache=1&r=563&nocache=1

Kind regards,
Erika

Contribution by Federica Donati

Dear Forum Members

Let me first thank warmly all those who have so far contributed to this discussion and all those who have silently read and followed it. The forum has received very valuable and thought provoking ideas and questions.

May I suggest that we now proceed by trying to address what has emerged as some of the key points. In doing so, we hope to be able to clarify the extent and modalities of the convergence of the two tracks: food security and human rights to food. Or we may end up obscuring everything even further in which case we will need to ask for another forum discussion!

I would like to propose that our discussion focuses now on the following four main points suggested by Rene:

1. What are the **opportunity costs of promoting RTF rather than food security**? We haven't won the battle on the concept of food security, yet we are confusing both right holders and duty bearers with a new concept, perhaps even less attainable or realistic (!?);
2. What are the main **strengths and weaknesses of the food security approach**?
3. What are the main **strengths and weaknesses of the RTF/RBA**?
4. Can the **two concepts be harmonized**? If not, should food security approach be replaced by RTF/RBA approach?

Some of the contributions received so far already address the above points.

2. Strengths & Weaknesses of a food security approach

For example concerning the strengths of a food security approach; this provides a comprehensive actionable set of activities that would (almost) guarantee quick results among the masses (Rene). Concerning the weaknesses of a food security approach, this may be fragile against the lack of political commitment/political will (Joseph & Rene). In addition, comprehensiveness of a food security approach requires local and international environments conducive to inter-agency/ministerial collaboration as well as collaboration between the different administrative levels. However, in reality, such environments often do not exist and a food security approach has not managed to overcome this obstacle (Rene). Would a RTF/RBA approach contribute to overcome these weaknesses or would these remain a challenge for a RTF/RBA approach?

3. Strengths & Weaknesses of a RTF/RBA approach

In relation to the strength of RtF/RBA, this approach underpins human dignity by recognizing access to food and nutrition as legal entitlement (in contrast to stigma which food charity may bring in and moral obligations) (Graham). In addition a RTF/RBA approach brings in strong focus on accountability, in particular though utilization of judicial recourse mechanisms (Joseph, Rene & Graham). This approach may also contribute to identifying existing social discrimination which may negatively impact food and nutrition security. For example, it will help to identify those who are more vulnerable amongst women and children and why.

Turning to the weakness of a RTF/RBA approach, alike the food security approach, this may be fragile against the lack of political commitment/political will (Joseph & Rene). Empowerment and participation of rights-holders, two of the pillars of the RTF/RBA approach, may create social demand and mobilization which may in turn motivate the relevant power structures to take action.

While judicial recourse mechanisms can play a key role in ensuring accountability and providing remedies, the heavy burden which may be placed on vulnerable groups to seek remedy through judicial mechanisms may turn strength to a weakness (Graham). This is absolutely important.

How can a RTF/RBA approach ensure that accountability mechanisms are easily accessible, low cost, etc and remedies enforced?

According to the human rights perspective accountability mechanisms may not necessarily be limited to judicial recourse mechanisms but could include a broader range of recourses such as:

- a) Regular monitoring by government agencies and other entities with a view to improving and/or adjusting policy/law implementation;
- b) Monitoring of compliance of regulation (e.g. labour inspection, food safety inspection);
- c) Administrative recourse mechanisms (e.g. complaint mechanisms through administrative channel).

Though the above points sounds quite intricate, let's all try to share thoughts, ideas and possible answers that may contribute to bridge the gap between the food security and the RTF/RBA approaches.

Looking forward to hearing from you.
Federica

Contribution by Gbolagade Ayoola

I have no doubt in my mind that the notion of human right to food raises our hope that Government will become more responsible and accountable to the people in performing their role as driver of change in the food sector. **The core issue is how to persuade policy authorities in Government to begin to respect, protect and accord some importance to the right of the**

people to adequate food entitlements.

In Nigeria, our organization - **FARM AND INFRASTRUCTURE FOUNDATION (FIF)** (http://km.fao.org/fsn/resources/fsn_viewresdet.html?no_cache=1&rV4&nocache=1) - did not receive encouragement when it reached out to government officials in that regard. Probably my letter to the President on the subject matter was simply noted or put away completely. The question at this stage is how to properly sensitize the government to recognize and deliver the right of people to food. I will be guest speaker again at this year **2008's World Food Day symposium**, next week to raise the issue again, as I did at the same forum last year: How can we get the ear of government on this matter?

This is where **I see an important role for credible international agencies like FAO**. We need a coalition of these agencies to reinforce the activities of national NGOs like ours to achieve this objective. What we are asking **governments** to do cannot happen under gravity (free fall). They need motivation to do so and probably some incentives as well. And unless there is strong **advocacy** in developing countries **to generate demand for this right from the people themselves**, our desire to get the ear of government on this matter will remain on the 2008.

God bless the hungry and the malnourished in all parts of the world!

Gbolagade Ayoola,

University of Agriculture Makurdi
Nigeria/ Founder and President FIF.

Contribution by Carol T Kayira, from Action Aid International, Malawi

Colleagues,

This is indeed a very timely discussion given the global context. I wish to share some of our **experiences and understanding in Action Aid international Malawi** on the Human right to food.

Malawi used to be a chronically food insecure nation, with so many people experiencing hunger, as a result of natural disasters and at times man made disasters through mismanagement. During such times of food insecurity and hunger, several players stepped in to cover the food gap. Such initiatives to a great extent ensured that Malawians were "food secure", however, concerns were raised around disempowering food aid programmes leading to farmers disinvesting in farming, dysfunctional markets due to concentration of corn on the markets, inadequate investment in agriculture production among others. On the other hand some international policies and practices also greatly contributed towards the violation of the right to food.

Members of civil society noted that **there are very few if any legal frameworks that protect people's right to food**. This is **due to inadequate awareness that food is a right not a charity** and as with all other rights, it needs to have an enforceable legal framework to promote protect and fulfil it for the population. **Efforts are being made in Malawi to ensure** that the protection for people is recognised through the **development of a law on the right to food**; this will ensure that all stakeholders do their part (role) in ensuring that this right is protected, fulfilled and promoted.

My view is that food security is a desired status, which can be achieved through protecting, promoting and fulfilling the right to food. I also believe that using the right to food approach to ending hunger unearths deep structural and multi-sectoral issues which contribute towards food insecurity and nutrition insecurity. For instance, **extractive mining issues vs food security, the best intervention could be using a legal and policy right to food framework**; the power relations at play within households and how that contributes to food insecurity.

In conclusion, I believe **Food Security and Human right to food** are not parallel, neither are they converging, but there are **two sides of a same coin** and have to be pursued concurrently.

Carol T Kayira

Food and Nutrition Security Coordinator
Action Aid International Malawi

Message by Shubhada Kanani, from The M S University of Baroda, Vadodara, India, member of the Solution Exchange India – Food and Nutrition Community

This is an important discussion and I would like to respond based on my experience in promoting gender and rights perspective for women's health and nutrition security. I also carried out a program evaluation of the Mid-Day-Meal (school meal) program last year covering all the MDM centres at Baroda and did a literature review of the program. The provision of a hot school meal, as we know, is rightly cited as a landmark step where courts intervene to ensure that the State fulfils its obligation of right to food for its children. From both a food security and a rights perspective - and in response to observations of Federica and Joseph, I have the following comments:

1. Yes, its true that legislation - such as the Supreme Court order for school meals - that emerged after representations from human rights groups (especially those working for health and food security) are a step forward. However, at the **National level**, the job was done. But at the **Sub-national level -the district and local level-** where are the monitoring mechanisms to ensure that the quality of implementation is ensured? The school feeding program is plagued with problems - the usual ones related to poor management, poor quality of food grains, inadequate rations of oil and spices, poor facilities in kitchen and store rooms where the raw foods are stored and so on. Added to this, is the low level of motivation and poor working conditions of the MDM Organizer, cook-helpers and lack of interest by school teachers. Little wonder then, we found that only about one third of school children availed of the school meal on an average.

2. So, **the missing element in the human rights discourse is lack of adequate monitoring mechanisms to ensure accountability and quality right till the level where the right holder avails of the food.** The children or their poor parents will not by themselves challenge the system - who will do this on their behalf? We were told by the MDM authorities that they want to out-source the implementation of the program to private agencies or NGOs since they say they cannot ensure quality of implementation. The Government already does this for ICDS in many areas. Is this the answer?

Secondly, about **food security**: A basic premise that the right-to-food will help ensure an increase in the net amount of food available to the vulnerable groups and thereby decrease food insecurity. However, we often see -especially in feeding programs such as MDM or ICDS - that the food supplement available from these programs - often becomes a partial or complete substitute wherein either the food recipient has less food at home or skips a meal. We saw this in the MDM study (and also in many other studies) where the net calorie intake/day (mean value) was similar in MDM and non-MDM groups. In ICDS also, a similar situation is reported. So in effect, the target recipient or the right holder, remains food insecure (or may show marginal increase in net food intake) despite having access to the food supplement.

So one missing element from the food security discourse from a rights perspective is communication strategies for sensitization and education of the right-holder regarding the importance of the food that s/he is receiving and how to optimally utilize it.

Message by Mahtab S. Bamji, Dangoria Charitable Trust, Hyderabad, India, member of the Solution Exchange India – Food and Nutrition Community

Its time we used the term **Nutrition Security** instead of food security. Mere access to food is not enough. In India, under the leadership of Prof. M.S.Swaminathan a Coalition for Sustainable Nutrition Security has been formed. CSNS has defined nutrition security as “**Physical, economic and social access to an age-appropriate balanced diet, safe drinking water, environmental hygiene, and primary health care for all**” *and awareness to utilise these*.

I am sharing the report prepared by CSNS available at http://km.fao.org/fsn/resources/fsn_viewresdet.html?r=567 (size: 723 KB) which was presented to the members comprising of ministers, secretaries and academia. Readers may find it useful and convey their views.

Message by P.K.Thampan. Peekay Tree Crops Development Foundation, Kochi, India, member of the Solution Exchange India – Food and Nutrition Community

The concept of right to food becomes operational only when there is food security. It is important to ensure that all sections of population participate in producing and making available food to ensure right to food. Under the NREGA opportunities for rural employment are created at different levels for the unemployed to benefit from. Similarly, opportunities are to be created for the people to produce food and enjoy their right to it.

In most of the states home gardens with potential for producing multiple foods are available, but remain underutilized. Cultivable waste lands and fallow lands are available in all the states. These lands could be made available to landless poor and groups interested in farming for producing food. What is needed is a national level food production drive to ensure the availability of adequate food at prices affordable to the poor sections of the society in order to make the concept of right to food meaningful.

Contribution by George Kent, University of Hawaii, USA

Greetings –

I apologize for being late in participating in this fascinating forum, but my being at the Right to Food Forum in Rome and subsequent travel made it difficult for me to arrange the necessary time and access. A few words of introduction: I am George Kent, professor of political science at the University of Hawai'i. Some of you may know my 2005 book, ***Freedom from Want: The Human Right to Adequate Food***. It is now available at no cost through the website of its publisher, Georgetown University Press, at http://km.fao.org/fsn/resources/fsn_viewresdet.html?no_cache=1&r=576&nocache=1

In the introductory statement, Dubra called for discussion on “Experiences in the **practical application of human rights based approach to food security at national & local levels**.”. Similarly, Jospeh Opio-Odongo highlights obligations at the state, sub-national, and community and household levels. What about the global level? This concern is addressed in a recent book I edited, on ***Global Obligations for the Right to Food***. We should view **human rights as being global in scope**; the rights and the obligations do not end at national borders. A flyer for that book is available at http://km.fao.org/fsn/resources/fsn_viewresdet.html?r=577

Now that these commercial messages are out of the way, I would like to jump into the discussion, even though I am coming in late.

Federica, one of the contributors to the *Global Obligations* book, mentioned the lack of accountability mechanisms as one of the important challenges. I would like to add that **accountability mechanisms cannot work unless the right to food has been translated into very concrete and understandable entitlements**, as has been done in India. If the rights claims are not concretized in the law, duty bearers can simply disagree with and

dismiss the interpretations made by the rights holders and their allies.

Gbolagade Ayoola asked a very sharp question: “What is the basis to expect that policy authorities will adopt or promote right based approach to food security, when indeed they are the principal beneficiaries of right-less society?” This implicitly recognizes that rights should not be expected to come as gifts from above; **the people themselves must demand them.**

Of course Gbolagade is correct in seeing that the hungry themselves are difficult to mobilize, and are not likely to initiate their own mobilization. For this reason, local **NGOs**, based largely on the middle class, **must play an important role in making the rights system work.** They have been doing that in India in very effective ways.

Rene Verduijn mentioned the importance of food security information systems for identifying specific vulnerable groups to which a Rights-Based-Approach should be applied. Yes, but we should recognize that **often government-generated food security information is not well used, or not used at all**, and there are right-based programs that can be undertaken by governments without specific targeting. Sometimes it is sufficient for rights holders, aware of their rights, to present themselves to receive their entitlements. In some cases, the needs may be so widespread that it is more efficient to provide services to all, rather than targeting a particular subgroup. I worry about agencies that spend lots of money to identify the vulnerable, and then don’t quite know what to do with that information. Hoping that others will make use of it is not good enough.

I fully agree with Graham Riches concerns about the ways in which charitable giving can undermine the human rights approach. However, it is useful to highlight that food aid itself is not **the problem**, but rather **excessive and inappropriate dependence on food aid in various forms.** Too often food aid is provided in ways that are disempowering. At times it is just what is needed.

Overall, the main concern I want to raise in this discussion is that neither the food security approach nor the right to food approach in itself embodies an articulated vision of how major forms of malnutrition are to be addressed. Obviously, endless handout schemes do not provide sustainable solutions. **There is a need for serious planning, based on a clear guiding vision, of how to end malnutrition in all its forms.** Food security assessments and rights-based programs are likely to be a part of any such plans, but they are not themselves the plans.

Thus, when Rene and Federica ask, “What are the **opportunity costs of promoting RTF rather than food security?**” I say we should not see this as a choice. Instead, both should be seen as elements in broader plans.

As Rene recognizes, planning can be done very badly. The remedy is not *no* planning, but rather **good planning**, based in part on learning from bad planning experiences. For example, Erika pointed to FIAN’s statement about the non-participatory nature of the way in which the Comprehensive Plan of Action was developed. **Planning with regard to food issues should be fully participatory, at sub-national, national, and global levels.**

In my view, the key missing element is sound, well-organized planning, based on clear goals related to ending malnutrition, and clear visions of how that is to be accomplished. Undoubtedly, good plans would include elements of both food security and the right to food.

Aloha, George

Contribution by Graham Riches

In response to Federica's (and Rene's) latest set of questions I would have to agree with Carol (Malawi) who wrote that food security and the human right to food are not parallel, nor converging, but are two sides of the same coin and have to be pursued concurrently.

From a policy perspective the answer to the question as to which should be given preference is essentially one of means and ends. Food security is both a means and end in itself as is the RTF. However, in my view the RTF and Rights Based Approaches are not only significant means or processes by which food security can be achieved, but also (again in agreeing with Carol), that 'the RTF could well replace the FS concept and be incorporated into a more holistic approach that promotes civil, political and social and economic rights'. In other words **I see the RTF as having a more influential strategic possibility in influencing public policy with regard to the development of 'joined-up' food policy and the eradication of hunger.**

My reservations (already noted) about the concept of **food security** are that it **includes food charity which I believe acts as a significant deterrent in terms of achieving food security** (e.g., undermining human rights and local food economies and lacking accountability and monitoring). However one could also note that a further factor which weakens the concept of food security is that it tends to be owned (not unsurprisingly) by the agricultural sector (food production). In one sense this is a great strength in that at least one powerful sector or lobby actually lays claim to it (such as FAO, state ministries of government) but the problem is that food security is, also as Carol noted, a multi-sectoral issue.

This I believe is a great strength of the RTF approach in that it is set within a context of **the achievement of adequate standards of living** (see International Covenant on Economic, Social and Cultural Rights, 1966) and livelihoods. It builds on the UDHR (1948) and the CESC and emphasizes not only food security but income and social security, full employment and access to housing, health and education. In fact the link of food security to nutrition security and health is as important as with the agricultural context. And as others have noted the **RTF concept accentuates the whole notion of a legal entitlement to be free from hunger and to be food secure**. The importance of justifiable mechanisms (despite their weaknesses) goes without saying as well as a range of other national government and international and local watchdog organizations.

Perhaps what is **key is education and the raising of public awareness about the right to food** – in universities and colleges, of civil servants and of the professions as well as of local populations through community development and education. In particular the right to food should be on the curricula of agriculture, law, nutrition social policy, finance, social work schools in higher education.

Graham Riches
University of British Columbia

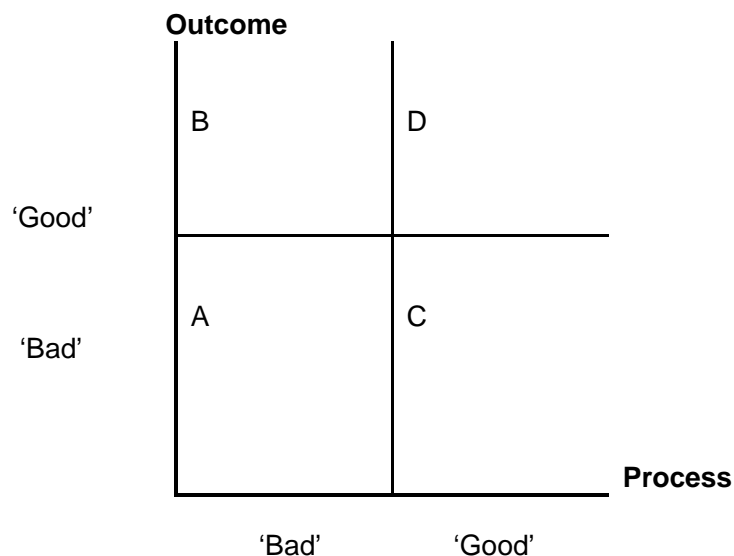
Contribution by Urban Jonsson, The Owls, international consultancy company, Sweden (Former Regional Director of UNICEF)

The difference between Food Security (FS) (or Household Food Security) and Human Right to Food (RTF) is the fact that the former is a *basic needs concept in development*, while the latter is a *human rights concept*. **The relation between FS and RTF is therefore best understood from the perspective of the relation between development and human rights.**

Development requires the satisfaction of at least two conditions: the achievement of a desirable *outcome* and the establishment of an adequate *process* to achieve and sustain that outcome. Most of the food, health, education, and nutrition goals defined in the Millennium Declaration, for example, represent specific, desirable outcomes. Effective development demands a high-quality process to achieve such outcomes. Participation, local ownership, and sustainability are essential characteristics of a high-quality process. Level of outcome and quality of process define a two-

dimensional space for social action, as illustrated below. (if the table does not display correctly, please here:

http://km.fao.org/fileadmin/user_upload/fsn/docs/Contribution_by_Urban_Jonsson.doc)



Most development starts at A, and the ideal, final stage is D. Unfortunately, many development programmes move into one of the two areas represented by B or C. The former represents a good outcome at the expense of, for example, sustainability (an aspect of a good process), and is as ineffective as C—a good process without a significant outcome.

While monitoring of the achievement of development outcomes has improved considerably during the past ten years, far less progress has been achieved in monitoring the quality of *processes*—largely because “good process” has seldom been defined.

Let us now move into a Human Rights-Based Approach. Basically a “**human rights standard**” defines the minimum acceptable level of an outcome or results, while a “**human rights principle**” specifies the criteria for an acceptable process to achieve an outcome (minimum level of conduct, values). The Millennium Development goals are typical examples of such desirable outcomes. Food security at different levels of society is a desirable development outcome. Most people see the achievement of these goals as the required *results*. Process criteria include all human rights principles. A list of the most important human rights principles, proposed by UNDP and OHCHR, is shown below:

- Universality and Indivisibility Equality and Non-Discrimination
- Participation and Inclusion
- Accountability and Rule of Law

Basic Needs approaches are very common in development discourse. There are several **differences between a Basic Needs Approach and a Human Rights Approach**. The most important one is that in a Basic Needs Approach there is no object; nobody is identified with a duty to meet the need.

The following table exemplifies some differences between the two approaches (if the table does not display correctly, please here:

http://km.fao.org/fileadmin/user_upload/fsn/docs/Contribution_by_Urban_Jonsson.doc)

Basic Needs Approach (Food Security)	Human Rights Approach (Right to Food)
Needs are met or satisfied	Rights are realised (respected, protected, facilitated, and fulfilled)
Needs do not imply duties or obligations, although they may generate promises	Rights always imply correlative duties or obligations
Needs are not necessarily universal	Human rights are always universal
Basic needs can be met by goal or outcome strategies	Human rights can be realised only by attention to both outcome and process
Needs can be ranked a priori in a hierarchy	Rights cannot be ranked a priori in any hierarchy
Targets people who are poor with transfers of commodities and services (i.e. people are 'beneficiaries' or <i>objects</i>)	Targets people who are poor by recognizing such people as the key actors in their own development (i.e. empowering <i>subjects</i>)
Needs can be met through charity and benevolence	Charity and benevolence do not reflect duty or obligation ("Charity is obscene in a human rights perspective", I. Kant)

In summary, Food security (FS) is a *development* concept, most often seen as a *basic need*; while the Right to Food (RTF) is a *human rights* concept. FS recognizes the Outcome/Process dimension, but with emphasis on the Outcome (availability, accessibility, acceptability etc) and only limited recognition is made of the process aspect, except sustainability (i.e. 'security'). **The RTF gives equal attention to outcome and process.** The outcome is identical to the outcome in a FS approach, but gives a lot more attention to the conditions of the process, i.e. the adherence to all human rights principles. While in a FS approach the priority is to achieve a certain desirable outcome, i.e. food security, in a **RTF approach equal attention is given achieving food security and to *how* that achievement is made.**

Contribution by Joseph Opio-Odongo

Dear George,

In your commercial message you rightly draw attention to the global obligations. My contention is that, important as it is, unless the national and local systems are effective, it may prove difficult to influence the global system and also to translate global commitments and instruments into national and local actions. But your point is well taken and draws attention to **the need for capacity building to ensure effective and synergistic national-global linkage.**

On the issue of accountability, unless there are clear strategies, plans with concrete deliverable and the definitions of what to account for, to whom and with what consequences, it may prove difficult to enforce the accountability system. Those entitled to protection must certainly play a critical role in the accountability system.

In your answer to Gbolagade Ayoola's sharp question, you are right in pointing out that **the people themselves must demand their rights.** Principally, this is about the empowerment of the people to ensure that they can hold the obligation holders to account for the implementation and enforcement of the security and right to food and nutrition that is enshrined in the relevant

policy and legal instruments and action plans. Similarly, the empowerment of the routinely hungry is a means to facilitating their mobilization to demand and protect their rights to food.

The point you raise about the need for a clear vision that guides the planning process is important. Fundamentally, **that vision should inspire the food security/right to food strategy and action plan**. And the implementation of the action plan should include a well articulated and implementable **monitoring and evaluation system** that also involves the rights holders.

On your last point on planning, it is essential that good plans be linked to **adequate budgets** and effective systems for tracking expenditure or disbursement at both the national and local levels. The results of the tracking system can feed nicely into the accountability system.

Joseph Opio-Odongo
Kampala
Uganda.

Contribution by Andrew MacMillan, formerly FAO, Italy

While this discussion is interesting from an intellectual perspective, I am concerned that it could be unduly distracting. What I believe all of us involved in this forum, whether we approach the goal from a food security or right to food basis, want to see is that humanity makes hunger and malnutrition part of its history within this generation.

There are many different ways of achieving the eradication of hunger and malnutrition, but it is abundantly clear to me that we will only be able to make significant progress if all who are committed to this end, **work together in a mutually reinforcing manner** to build an increasingly strong and vocal constituency of support for the achievement of the goal. If we pool our efforts - and raise our voices in unison, rather than focus on the fine points of conceptual differences, then there is a chance that we might begin to see some serious progress and not be faced with the awful sight each year of a new rise in the number of chronically hungry.

Let us dwell on the **common features of FS and RBA** that are relevant to the reduction of hunger and malnutrition and **focus on how they are mutually supportive**, rather than emphasis the differences - which, I suspect are totally meaningless to a mother who does not know how she will feed her children tomorrow. Let us concentrate our efforts on **translating the concepts into practical action** doing those things that we all agree can work.

I believe that institutional fragmentation amongst those committed to the perfectly feasible goal of ending hunger and malnutrition (amongst whom there is so much talent) is one of the major reasons for such a poor collective achievement record.

The FSN Forum has done well to link food security and nutrition - subjects which for far too long have been treated separately - in its title and in the scope of its work. A similar "coming together" between people who look at FSN security from a Food Security and a Right to Food approach would seem to be a desirable outcome.

Andrew

Message by Tushar Dash, Vasundhara, Orissa

The issue of Food Security and Right to Food assumes importance in view of the recent Food Crisis across the globe. As observed by analysts the food distress is caused, among other things, by agriculture and food policy adopted by various states which have threatened the agro-biodiversity and food security in different parts of the country.

I would like to share a **recent experience in the state of Orissa** where 'biofuel' and cash crops promoted by the government has already started affecting food security of people in western part of the State which is known for the hunger and starvation deaths. A report on 'biofuel and its

impact on food security' would inform you about the problem available at http://km.fao.org/fsn/resources/fsn_viewresdet.html?no_cache=1&r=587&nocache=1

If we want to ensure real food security then we have to strive for a mechanism which would provide legal safeguards to the farmers to save their agro-biodiversity thereby ensuring food security. Not only that it is also high time to think about an enabling economic model which would promote 'producer's interest' or farmers interest and provide incentives for farm based activities. There is a need to balance the 'producers economy' with the 'consumer economy' for improving the food situation.

Message by Shuja ul Rehman, Independent Consultant, Srinagar, Kashmir

I agree with Tushar Dash a right to food is meaningless without food security. The example of Orissa that has been cited is indicative of the misplaced priorities and ill conceived planning. Producing crops for bio fuel production is even more detrimental to food security since precious land and water resources which could be utilized for attainment of food security get diverted for other means. In fact this diversion especially of food grains and oil seeds for bio fuel production has been clearly recognised as a major factor fuelling inflation and contributing to food insecurity especially of poorer countries in recent times. In fact the theme of this years world food day recognises this fact . The theme of World Food Day 2008 is "**World Food Security, the Challenges of Climate Change and Bioenergy**"

We have a **situation in Kashmir** valley where government policy encouraged turning paddy lands into orchards for growing cash crops. This has adversely impacted food security situation here. The area under cultivation of food grains has squeezed considerably in the recent decades turning the region into a major importer of food grains and livestock products inspite of being bestowed with abundant resources like land and water. Construction of any sort is totally banned on paddy lands, by law, in Jammu and Kashmir; however, it has been blatantly violated in recent decades thus affecting the food availability and production seriously.

Unless the government policy veers around to the protection of food security and prioritizes it, attainment of right to food may remain a dream.

Message by K V Peter, World Noni Research Foundations, Chennai

I appreciate Mahtab S. Bamji to bring into focus the CSNS report. There is escalation in prices of vegetables and fruits so vital for nutrition security. The % of people without the purchasing power to have the minimum quantity of vegetables and fruits in their daily food is not decreasing. The populist schemes like Rs 1/kg of rice and Rs 50/kg of spices are not promoting nutrition security. What is important is a revolutionary change in mind set to bring down % of people below poverty level and increase the % of people with an income above Rs 65/day. Massive rural employment schemes along with free supply of drinking water would go a long way.

Message by Maroti Upare, Independent consultant, Mumbai, member of the Solution Exchange in India - Food and Nutrition Community

The issue of food security and human right to food security and their convergence is vital for discussion in policy perspectives and more about rural development viewpoints. I would like to share my experience based upon my **experience in working in various countries i.e Sierra Leone, Malawi, Bangladesh, Vietnam, Uzbekistan and India.**

The human right to food is welcome policy initiative in theory but it has many practical bottlenecks.

- There is no effective mechanism which can deliver food to people. I observed while working in Sierra Leone in West Africa that WFP was not in position to provide food

supply in time and quality products. Government of India and State Governments in India are finding difficult to provide food to BPL population through Public Distribution System. The situation will be worst, if it is made a right to food and mandatory to provide food by Government to people.

- In situation of right to food, Government emphasis will be only on supply of food to people by any means, such as, by import substitute which will have adverse impact on agriculture sector of the country which I can illustrate by the experience of Sierra Leone where Government imported rice on lower prices for providing food to the people during 1980 as a result people stopped farming and were fully dependent on Government. The Government could not sustain import of rice and country was suffering food crises and to overcome it UN has to provide food.
- At present many UNDP projects for food security are in operation. I worked in UNDP project in Bangladesh 'Improving food security of coastal fishermen of Coastal Cox's Bazar district. This has facilitated food security and helped to provide alternative livelihoods those who affected by climate change.
- Right to food will not provide incentive for work which will inculcate the habit of free services from Government without making effort of work which will have adverse impact on economy of the country hence effort for improving food security is better option.
- Human right to food security may also act as impediment for developing country trade since developed countries will use this clause for barring trade of developing countries as per their convenience. At present developed countries are doing taking benefit of environment, child labour etc.
- Human right to food will help developed countries, if implemented; developing countries has to import food from developed countries. In short richer will be more rich.

In the light of above observations I am not in favour of human right to food security but there should be concentrated efforts to improve food security by **bringing appropriate policy reforms for food production, post-harvest and distribution**. The developed countries and UN family should support more for food security in developing countries.

Message by George Kent

Friends –

In relation to global obligations, Joseph contends that “important as it is, unless the national and local systems are effective, it may prove difficult to influence the global system and also to translate global commitments and instruments into national and local actions.”

I agree—up to a point. Certainly, global obligations must be viewed as a complement, not as an alternative, to national obligations. Primary responsibility for the realization of human rights is at the national level, not the global level. But there are some countries that are not likely to become effective managers of local malnutrition for a long, long time. In those cases, the global community should be seen as having special obligations. The rights of people in those countries do not end at the countries' borders; they have some sort of claim on the global community as a whole.

Until now, there is no clearly articulated obligation of the global community with regard to malnutrition, so there is no good way to call it to account. I believe there is a need to work out those obligations. That can be accomplished through serious multi-level planning for ending hunger, through the formulation of plans that work out clear obligations for all parties.

Aloha, George

Contribution by Dubravka BojicBultrini, from the Right to Food Unit, FAO, Italy

Dear Forum Members,

I would first like to thank all of you who contributed to this discussion for sharing your views, experiences, ideas as well as doubts and criticisms.

At this point of discussion, let me join Andrew MacMillan and Rene Verduin's call for focusing on practical ways to "coming together". As Andrew rightly points out, the chances for bringing hunger and malnutrition under control and strengthening the capacity of people to provide for themselves will be better if we pool our efforts and raise our voices in unison, rather than closing ourselves in our own conceptual specificities and differences. The idea behind initiating this discussion was indeed to encourage all **those working in food security field to engage with human rights, and human rights professionals to engage with food security ideas and processes.**

During the Right to Food Forum in early October, Mr. Olivier de Schutter (the UN Special Rapporteur on the right to food) reminded us that while food availability may be a problem - in certain circumstances - **it is not the problem**: it is one of a number of potential causes which may lead to hunger and malnutrition. For the cause of hunger and malnutrition may, indeed, reside in discrimination, lack of accountability, social inequalities resulting in situation in which there are hungry and malnourished people although there is plenty of food available.

Human rights and food security experts agree that there is a need for a focus on small farmers, so as to improve not only availability but also access to food by the poor. The human rights approach can be instrumental in **maintaining the focus on the most vulnerable and in designing processes that empower** people to feed themselves - and to hold public authorities accountable for supporting them.

George Kent and Joseph Opio-Odongo emphasized the **importance of a clear vision and good action** plan based on that vision. I think we can all agree with that. Continuing action without a clear vision and sound, participatory planning as to how to tackle the underlying causes of hunger and malnutrition (relying basically on food safety nets for those who loose out) would work in defence of status quo - **at best.**

In this sense, Rene's proposal to launch the **new thread "Practical points to move forward" comes at the right moment.** He suggests two areas of action as a starting point: assessment and monitoring, and capacity building. I would like to express my support for this initiative and encourage all Forum members who follow this discussion and in particular, those who are active in the food security filed to comment on this new thread, and to share their views and ideas as to how we can establish complementarities that form the basis for dialogue and joint-working.

Thanks in advance!

Dubravka

Contribution by Erika Artega

It appears to me that in this debate we are missing a **key concept: food sovereignty.** Even when the human rights approach deals with dignity for every individual and the food security concept deals with the "sufficient, quality, cultural appropriate" food side, we are still lacking the side where **agrarian reform and redistribution of resources** (water, appropriate technology for production, restriction of OGMs when they affect local producers, traditional seeds free circulation, etc) are instrumental for an appropriate right to adequate food.

Let's do not forget that scarcity of food is not the real issue, it is uneven distribution of power and access to food what we are talking about. We need a **holistic approach** (food

sovereignty, which also talks about collective rights and not only individual rights.. thus a concept much more tied to traditional/Aboriginal ways of life and the rights of indigenous people)

Erika
Agrarian Table – Ecuador

Contribution by Urban Jonsson

Dear All,

I just read the note from Federica Donati, and I would like to make a few comments.

1. In a conceptual/theoretical discussion and analysis, statements like "mutually reinforcing", "two sides of the same coin", "cross fertilization" etc are not useful and at worst quite harmful and confusing.

2. The HFIAS is a very good tool to measure and therefore monitor the outcome of an intervention, project or programme, but it is (so far) not useful in monitoring the process. This is the reason why the tool is not useful in monitoring the progressive realization of the right to food.

Best regards

UJ

A. Thread “Practical points to move forward”

Contribution by Rene Verduijn, from Pretoria, South Africa

Dear all,

So far, I have found the discussions on-line interesting and entertaining as well. As the RTF and RBA is fairly new to most food security practitioners, I feel that coming to grips with the different concepts is an essential first step towards operationalization and possibly a new modus operandi in the field. That's why I feel the questions raised about respective **strengths and weaknesses of RTF/RBA approach and FS are important ones to start with**. Often too little thinking goes into the initial conceptualization. So far, I have to thank other contributors to finding answers on complementarity and disagreement between the two approaches and Federica for a proper summary. The discussion has actually provided answers and it may be time to move on towards more practical matters as Andrew suggested.

In short, I see a few **key action points** that would help ferment the relationship between the human rights movement and food security practitioners. They are:

1. Food security practitioners should lend their expertise to human rights movement in the conduct and analysis of **assessments monitoring the socio-economic status of specific vulnerable groups that claim to be victims of human rights violations**, in particular their RTF. Solid findings are key in convincing the judiciary that rights have been violated. The human rights movement – lead by lawyers, lack the relevant skills and experience. I would be in favour of a programme that focuses on this particular area as great benefits could be gained by both communities, while forging a new unity. Instruments such as FANTA's Household Food Insecurity Access Scale (HFIAS), currently piloted around the world by FAO should be viewed as an opportunity to include opinions of rights holders. I believe there is

much potential for the **HFIAS as a RTF monitoring instrument**. This relationship between layers and FSIS experts should be forged ASAP, and FAO – the RTF Secretariat or perhaps the FIVIMS Secretariat would be a good place to coordinate action worldwide in this respect. Human rights lawyers should be able to use FSIS specialists and other socio-economic specialists as a key resource whenever they need to. I'm not sure if these relationships have been consolidated yet, or if the recent Forum has made recommendations in this regard.

2. Secondly, another action point where food security experts should **take the RTF/ RBA approach on board is in their quest of building capacity among national and sub-national government staff**, a large beneficiary group that the UN focuses on almost entirely. I feel that a RBA would add an important weapon in our arsenal to work towards a real change of attitude among civil servants, as they realize the importance of being a duty bearer rather than philanthropist. I'm aware it's difficult to change opinions – but surely the RBA provides a different and fresh way of motivating our partners and colleagues.

In conclusion, there is much to say in favour of **close cooperation between the two communities**. I hope that by putting forward two priority actions, which should result to real changes on the ground, some clarity on a practical way forward can be made.

Thanks,
Rene Verduijn

Contribution by George Kent

Friends, I would like to voice my strong support for this effort to find practical ways of coming together. I especially appreciate the clarity of purpose expressed by Andrew: what we want to see is that humanity makes hunger and malnutrition part of its history within this generation. Rene and Dubravka have wisely reset our compass, asking us to go for “practical points to move forward.”

There are some issues I would like to see discussed at this stage. For example, Dubravka speaks a bit dismissively about relying on **food safety nets** for those at the bottom because it does not tackle the underlying causes of hunger and malnutrition. However, I can imagine a model under which well-formed food safety nets, established globally, could be a sensible part of the solution. To illustrate, suppose we agree that the market system is the root underlying cause of hunger and malnutrition. If we cannot find a sensible alternative to that system, we could instead propose modifications within that system. That modification could be strong safety nets that ensure that there is some level below which people are not allowed to fall. That is a line of thought that should be given consideration. As a practical matter, this is the approach we see in many of the richer countries. They do not have pure free markets, but markets whose worst features are ameliorated with various social policies. The best features of market systems are preserved, and there is compensation for the worst aspects.

Rene suggested an approach that focuses on **assessment and monitoring, and capacity building**. I have reservations because sometimes these tasks are handled in a way that is not fully integrated with the policy process. To illustrate, it appears to me that a lot of data have been collected on food security that are not used well, or not used at all. Instead, I would advocate a well-designed planning process, one that involves all concerned parties, from bottom to top. A good strategy is one for which there is a serious commitment of resources, and a program of action that could sensibly be expected to result in achievement of the goal. It would provide for needed course corrections as it moves forward.

I know planning with regard to food systems has often been done badly. This does not mean planning should not be done; it means it needs to be done better. We need to think about how to do it: planning for planning.

I am especially concerned about the **need for planning at the global level**. If you define serious planning as plans that are really expected to lead to the achievement of a goal, then I would say we have never had serious food and nutrition planning at the global level. The Millennium Development Project provides a good example. Periodically we see reports that say the goals will not be met on this or that dimension. This language suggests that the plan of action is not succeeding. That is an illusion. If you look more closely, there never has been a serious global plan for the Millennium Project. The issue here is not the failure of a plan, but the total absence of a plan.

I am not advocating global planning instead of national and local planning. All are needed, together. However, there is a need for facilitation of this process from the global level.

Tasks such as monitoring should be understood as elements in a comprehensive policy and management package. We need serious planning at the global level based on some sort of clear vision on how to make hunger and malnutrition history within this generation. At this stage there is no global agency to facilitate this planning effort.

Aloha, George

Contribution by Federica Donati

Dear Forum Members,

Many thanks for making this discussion so rich and practically useful.

Without attempting to summarise the contributions posted so far, I understand that there is broad agreement on the fact that the food security and the right to food approaches are mutually reinforcing, mutually complementary, “two sides of the same coin” according to Carol’s words supported by Graham.

The concept of the right to food becomes operational only when food security is achieved, in P.K.Thampan’s views, and both food security and the right to food would inform sound, well-organized planning, based on clear goals related to ending malnutrition and clear visions of how this is to be accomplished as per George’s suggestion.

The value that the right to food approach would add to the food security approach seems to be related to the fact that the right to food approach offers a more holistic approach that promotes the whole range of human rights, civil and political and economic, social and cultural rights (Graham). In addition Urban reminded to us that the right to food approach gives equal attention to outcome and process, i.e. to achieving food security and to how that achievement has come about.

Leaving aside the conceptual intricacies which though it may be useful to untangle, I am pleased to see that the discussion has already embarked on a more operational and practical course, thanks to the thread launched by Rene.

How do we then **ensure that there is cross fertilization between the food security and the human rights/right to food communities?** And that the practitioners from these two fields **build on respective experiences?**

Rene already suggested two key action points:

1) How to monitor and **assess the socio-economic status of specific vulnerable groups** whose individuals claim to be victims of human rights/right to food violations? He mentions that the Household Food Insecurity Access Scale (HFIAS) could be used as a monitoring tool of the realization of the right to food. In this regard, it would be useful for me (from the human rights

community) to have an idea on how this tool works and how it could be used, for example, by the various UN human rights mechanisms that endeavour to monitor steps taken towards the realization of the right to food at the international level (like the UN Committee on Economic, Social and Cultural Rights and the Special Rapporteur on the right to food). From the human rights/right to food communities side, there are also a number of tools produced or being developed to monitor and assess the realization of the right to food (FAO, FIAN, etc.) including the development of indicators. How could these build on the key lessons that could be drawn from the existing food security monitoring tools such as that mentioned by René and others. In the discussion around monitoring we should also consider the need for effective mechanisms to monitor and track expenditure and disbursement at national and sub-national level (Joseph). Again the right to food community has developed a few tools on this (FAO, etc.)

2) How to build the **capacity of government** staff at the national and sub-national level within the right to food framework? To this point or as a separate one we should add the need for educating the general public and raising public awareness about the right to food (Graham, George). This could contribute to translating and clarifying the concept of the right to food into very concrete and understandable entitlements and to enabling people to claim this right. How could we then make operational the idea and ensure that food security practitioners incorporate the right to food approach in their capacity building activities? And vice versa how can we encourage that human rights practitioners avail of the food security tools available? I am sure the right to food unit at FAO has tried to do it. How can we support this at the international and national level?

I very much look forward to hearing your practical ideas on the above points and any other you may wish to flag.

Best,

Federica

Contribution by Joseph Opio-Odongo

Dear Members of the Forum,

Rene's proposal to launch the new thread "Practical points to move forward" and the suggestion that we focus on assessment and monitoring, and capacity building is well taken.

While this can enable us to move forward in dealing with the problems of hunger and malnutrition, eradicating these maladies in any society seems to be possible only in societies where the duty bearers hold the moral obligation to care for the hungry and the the malnourished. I would not want to delve into the characterization such societies at this point.

As previously discussed, **assessments that yield suitable data and information are important means** to evidence-based advocacy, policy-making, planning, budgeting and the strengthening of institutional, organizational and human capacities to deal with the maladies of hunger and malnutrition. The existence of **nationally shared visions** of the kinds society that are desired if the fight against hunger and malnutrition are to succeed can inspire the assessments. The visions would provide good anchors for assessment of the situation of hunger and malnutrition, especially when the views and perspectives of the hungry and poor are captured in the development of the visions. Similarly, the **visions and the results of the assessment would inform policy-making, planning and budgeting**, particularly in societies that care for the underprivileged. Besides taking sufficient account of local capacity, policy-making and planning have to reckon with global information, knowledge, opportunities and constraints, they are to be realistic and implementable.

Overall, in dealing with **capacity strengthening**, there is need to discern and deal with the constraints and opportunities at the individual, community, institutional/organizational and

societal levels. In some societies you may find that the clash between the experiences of the hungry and the malnourished with the expertise of the technocrats is part of the problem, especially at the local level. That clash can result in serious failures to seize strategic opportunities based on the experiences of the hungry and malnourished. Inadequate funding and motivation of field staff involved in the hunger and malnutrition project can also impair implementation. All these are facets of the capacity development agenda.

Vested interests that benefit from the status quo can also be part of the problem. As already discussed, these and the experience-expertise clash have to be challenged and contained. As a *way forward*, the **hungry and the malnourished have to be mobilized and empowered**. The experiences from India with **the application of the power tools** suggest that this is possible. The use of power tools has enabled productive engagements between the poor farmers and the technocrats in India, even when dealing with sophisticated issues of agri-science. Facilitate the empowerment of the hungry and the malnourished and they will be part of the solution in the quest to end hunger and malnutrition!

In some instances you may find that the relevant information for resolving the issues of hunger and malnutrition already exists in a country even at the sub-national level. Where the UN World Food Programme operates, for example, excellent vulnerability assessments and mapping reports may be available, but rarely would the information in those reports be used in local planning to deal with the issues of hunger and malnutrition. Put a **well-translated version of this report in the hands of local leaders and the poor and the hungry**, and there can be "power from below" than begins to transform the planning and management of local development! Doing this in a decentralized system of governance can have salutary effects.

Even in situation where reasonably suitable action plans against hunger and malnutrition may exist, chances are that they continue to gather dust on the shelves because of reasons such as inadequate budgets or weak programme implementation processes. The *way forward* would be the identification and liquidation of those kinds of bottlenecks as a means of enhancing the capacities to deal with the challenges of hunger and malnutrition. The weak capacities to deal with corruption and implementation capture by the powerful elites could also be part of the problem. These too have to be dealt with.

There is no gainsaying that **effective monitoring systems** are key to the fight against hunger and malnutrition. This however presupposes that there exist well designed and adequately funded programmes. As already mentioned in the previous discussion, the monitoring system has to go beyond the focus on outputs and encompass a **focus on the results in terms of progress towards the realization, within a given time frame, of the programme targets**, including desirable changes in the attitudes and behaviour of the hungry and the malnourished.

Good output and outcome indicators are essential to the monitoring system. Hopefully, if the assessments were well done, there would be suitable baselines against which progress can be assessed. Fundamentally, the hungry and the malnourished have to be active participants in monitoring the programme. Their storylines on the progress of the programme have to be captured!

Sorry for being rather long in my response!

Joseph Opio-Odongo
Kampala, Uganda.

Contribution by George Kent

Federica asked:

"How to build the **capacity of government** staff at the national and sub-national level within the right to food framework? To this point or as a separate one we should add the need for educating the general public and raising public awareness about the right to food (Graham, George). This could contribute to translating and clarifying the concept of the right to food into very concrete and understandable entitlements and to enabling people to claim this right. How could we then make operational the idea and ensure that food security practitioners incorporate the right to food approach in their capacity building activities? And vice versa how can we encourage that human rights practitioners avail of the food security tools available?"

Perhaps the best single answer would to all this would be to **create a forum in which parties from all sectors of society participating in drafting national legislation on the right to food**. It is in national legislation that the principles stated at the international should be concretized into specific entitlements, and it is in national legislation that specific obligations and mechanisms of accountability should be worked out. The joint formulation of the legislation would be a hugely educational exercise for all who are involved.

Aloha, George